

**CITY OF WATERVILLE**

**REGULAR MEETING**

**COUNCIL MINUTES**

**JANUARY 21, 2020**

**EXECUTIVE SESSION**

6:45 P.M.

REAL ESTATE 1 M.R.S.A. §405 (6) (C)

**REGULAR MEETING**

7:00 P.M.

PRESENT: NICHOLAS ISGRO, MAYOR  
MIKE ROY, CITY MANAGER  
WILLIAM A. LEE, CITY SOLICITOR

COUNCILORS: MICHAEL MORRIS, FLAVIA OLIVEIRA, MARGARET SMITH,  
SYDNEY MAYHEW, RICHARD FOSS, CLAUDE FRANCKE, ERIK  
THOMAS

**PROCLAMATION**

WATERVILLE SCHOOL CHOICE WEEK

**DISCLOSURE OF CONFLICT OF INTEREST**

NO CONFLICTS WERE DISCLOSED

**APPROVAL OF CONSENT AGENDA**

MINUTES OF CITY COUNCIL MEETING OF JANUARY 7, 2019

RESOLUTION 26-2020 RATIFYING THE ROLL OF ACCOUNTS NO. 2

Motion Made and Seconded for Approval of Consent  
Agenda

Vote: All in Favor (7-0)

**UNFINISHED BUSINESS**

ORDINANCE 23-2020 AMENDMENT TO THE ZONING ORDINANCE (SOLAR FARM)

Motion Made and Seconded to Adopt  
Motion Made and Seconded to Send this back to the  
Planning Board

Vote: All in Favor (7-0)

Motion Made and Seconded to Take up Ordinance 25  
before Ordinance 24  
Vote: All in Favor (7-0)

ORDINANCE 25-2020

AMENDMENT TO THE MARIJUANA ORDINANCE

Motion Made and Seconded to Adopt  
Mayor Isgro said that state law is complicated and questioned what we were trying to regulate.  
Dan Bradstreet, City of Waterville Code Enforcement Officer, stated that he had checked with MMA, OMP and other municipalities and no one is exempting commercial cultivation facilities from licensing. Mr. Bradstreet noted that this amendment was only adding a licensing fee for medical cultivation facilities.  
Jennifer Bergeron stated that she doesn't feel that the city has the right to charge a fee and questioned whether municipal authorization is needed. Ms. Bergeron said that medical cultivation applications are confidential and that caregivers are only recouping their expenses. She noted that there is a \$1,000 fine if confidential information is breached and that the tier system does not apply to caregivers. Ms. Bergeron added that the fees for licenses must reasonably relate to the licensing costs.  
City Manager Roy said that Bill Lee's opinion was that we could license them and charge a fee, but that those who grow for their personal use would not require a license. Roy noted that the point of the tier system was worth consideration and that maybe a flat fee would be more appropriate.  
Mayor Isgro questioned whether we want to license them at all, noting that caregivers give up their Second Amendment rights. Isgro added that we have a duty to follow the law and do we run the risk of exposing medical providers if we license them.  
Motion Made and Seconded to Postpone  
Vote: All in Favor (7-0)

ORDINANCE 24-2020

AMENDMENT TO THE LICENSES & PERMITS ORDINANCE

Motion Made and Seconded to Adopt  
Motion Made and Seconded to Postpone  
Vote: All in Favor (7-0)

**NEW BUSINESS**

RESOLUTION 27-2020

WAIVER OF FORECLOSURE OF MUNICIPAL TAX LIENS

Motion Made and Seconded to Read by Title Only  
Vote: All in Favor (7-0)  
Motion Made and Seconded to Adopt  
Vote: All in Favor (7-0)

RESOLUTION 28-2020           ISSUANCE OF A VICTUALER'S LICENSE TO GERARD A.  
TURMELLE, D/B/A JULIETTE'S BAKERY & DELI

Motion Made and Seconded to Read by Title Only

Vote: All in Favor (7-0)

Motion Made and Seconded to Adopt

Vote: All in Favor (7-0)

RESOLUTION 29-2020           ISSUANCE OF A SECONDHAND LICENSE TO ROBERT  
GREINER, D/B/A JULES ESTATE BUYERS

Motion Made and Seconded to Read by Title Only

Vote: All in Favor (7-0)

Motion Made and Seconded to Adopt

Vote: All in Favor (7-0)

RESOLUTION 30-2020           ISSUANCE OF A POLE LOCATION PERMIT

Motion Made and Seconded to Read by Title Only

Vote: All in Favor (7-0)

Motion Made and Seconded to Adopt

Vote: All in Favor (7-0)

RESOLUTION 31-2020           SALE OF TOWER LEASES

Motion Made and Seconded to Read by Title Only

Vote: All in Favor (7-0)

Motion Made and Seconded to Adopt

Vote: All Opposed (0-7)

RESOLUTION 32-2020           REFERRAL TO PLANNING BOARD

Motion Made and Seconded to Read by Title Only

Vote: All in Favor (7-0)

Motion Made and Seconded to Adopt

Vote: All in Favor (7-0)

### **COUNCILOR UPDATES**

Councilor Morris announced a Fire Department Study Committee was scheduled for Wednesday at 5:30 p.m. at the Fire Station. Morris shared that the two ambulances had been purchased, we were applying for licensure and that the billing was being worked on.

Councilor Morris recognized the Public Works crew for their efforts in plowing during the storm on New Year's Eve and said that the crew would be provided a pizza lunch at noon on Friday and that everyone was welcomed to attend.

Councilor Thomas noted that the Ms. Holmes play at the Waterville Opera House was opening and that he asked to be excused to attend work there at 8 p.m.

## **COMMUNITY NOTES**

Scott McAdoo spoke about food insecurity and announced several efforts being organized to combat this.

Linda Warner, employee at the Yardgoods Center, pointed out that the handicapped parking stickers don't address the parking problem for knitters who are attending classes at their location. Ms. Warner asked that there be consideration given to extending parking to 3 hours. Mayor Isgro stated that at the next City Council meeting the City Council would vote on dispensing the Parking Committee and creating a new committee.

Jennifer Bergeron noted that she would not be available to attend the City Council meeting two weeks from now and suggested that the discussion on the marijuana ordinance be tabled until two meetings from now. Bergeron noted that confidentiality applies to caregivers.

Ms. Bergeron suggested that the downtown parking ban go into effect at 1 a.m., rather than midnight, for the benefit of customers who frequent businesses who are open until 1 a.m.

Julian Payne, Ward 5, recognized Eric Haley for the E-Sports program which builds teamwork and communication.

## **MANAGER'S REPORT**

City Manager Roy provided a schedule for the budget review process.

Mr. Roy indicated that the revised 3-year dispatch contracts and the IT revised contracts were going out this week.

Mr. Roy questioned whether there was any interest in scheduling a Strategic Planning Session similar to the one held last year, to which the councilors agreed.

Finally, Roy provided the Councilors with two options in hiring his replacement. One was to have the person start in November in order to work with him until the end of December when his contract ends. The other option would be to have his replacement start in January and have him stay on a part-time basis for two months in order to provide guidance during the budget process. Mr. Roy suggested that we work with an outside entity to assist with the search process and that he had asked MMA to provide a cost estimate for that service.

Julian Payne asked if there would be a new contract if the City Manager's stay is extended, to which he was told yes. Mr. Payne questioned whether City Councilors who may apply for the City Manager's position would be exempt from participating in the search process and the subsequent vote, to which he was told that it would be a conflict of interest for them to be involved in the hiring process.

Motion Made and Seconded to Adjourn  
Adjourned at 8:15 p.m.

---

City Clerk